IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.K.DENESAN

FRIDAY, THE 20TH OCTOBER 2006 / 28TH ASWINA 1928

WP(C).No. 1903 of 2006(B)

PETITIONER:

RAJEEVAN EDAVALATH,
S/O.UNNI, RESIDING AT CHEMANCHERRY,
KOYILANDY, KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS:

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1. STATE OF KERALA,
REP. BY CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT EMPLOYMENT OFFICER,
KOZHIKODE.

3. THE EMPLOYMENT OFFICER,
TOWN EMPLOYMENT EXCHANGE,
KOYILANDY, KOZHIKODE.

4. KERALA WATER AUTHORITY,
REP. BY ITS MANAGING DIRECTOR,
TRIVANDRUM.

5. THE CHIEF ENGINEER,
KERALA WATER AUTHORITY,
KOZHIKODE-9.

R1 TO 3 BY GOVT. PLEADER SHRI. BIJOY CHANDRAN
R4 & 5BY ADV. SRI.J.KRISHNA KUMAR, SC, KWA

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 20/10/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

K.K. DENESAN, J.

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W.P.(C) No. 1903 OF 2006 B

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Dated this the 20th October, 2006

J U D G M E N T

The petitioner had registered his name with the Employment Exchange, Kozhikode in 1987. According to him, he belongs to Mannan community which is included in the list of Scheduled Castes in the State of Kerala. He has crossed the age of 45 years and possesses I.T.C. (Plumber) Trade passed in 1981. For some time, he could not take steps to renew the registration. When he approached the authorities requesting to renew his registration and to sponsor his name for suitable employment, the authorities did not take timely action and finally he had to approach this Court for reliefs. This Court as per Ext. P6 judgment passed on 17-8-2004 directed the 2nd respondent, viz., the District Employment Officer, Kozhikode to look into Ext. P3 representation filed by the petitioner on 17-10-2001 with notice to the petitioner and to set right the

illegality, if any, committed. Pursuant to Ext. P6, the petitioner submitted Ext. P7 representation on 25-11-2004 before the 4th respondent complaining that the appointments made through the Employment Exchange were overlooking the legitimate claim of the petitioner. Having not received any reply to Ext. P7 representation, he has filed this writ petition.

2. Learned Govt. Pleader, on instruction, submits that the 2nd respondent has issued notice to the petitioner directing him to appear before the 2nd respondent on 19-10-2004, the petitioner responded to the notice, at the time of hearing he was told that he should produce certificate from the Tahildar having jurisdiction over the area where the petitioner had been residing showing that he belongs to Mannan community; but the petitioner has not so far produced the requisite certificate and therefore further action has not been taken on the representation of the petitioner. The case of the respondent is that due to the laches on the part of the petitioner, further proceedings could not be pursued on the grievance of the petitioner. Govt. Pleader submits that it is open

to the petitioner to produce the caste certificate from the Tahsildar within a reasonable time, in which case, the 2nd respondent will take appropriate action in accordance with law.

3. Having regard to the above good gesture shown by the 2nd respondent despite the lethargy or failure on the part of the petitioner in not producing the requisite certificate, the petitioner shall take immediate action to obtain the certificate, if he is eligible and produce the same before the 2nd respondent within a period of two months from today. If any such certificate is produced, the 2nd respondent will be free to close the concerned file for want of response from the petitioner.

The writ petition is disposed of as above.

K.K. DENESAN
JUDGE

jan/-